

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLES EDWARD TURNER, JR.,)
)
 Plaintiff,)
)
v.) 1:15CV947
)
MR. CLELLAND, et al.,)
)
 Defendants.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on March 16, 2016 was served on the parties in this action. Plaintiff objected to the Recommendation. (Doc. 25.)¹

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a *de novo* determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Request for Temporary Injunction (Doc. 4) is DENIED.

¹ To the extent it could be claimed that further evidence has been offered in the objection, the court in its discretion declines to consider it. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b)(3); Doe v. Chao, 306 F.3d 170, 183 & n.9 (4th Cir. 2002) (district court's decision whether to consider additional evidence is committed to its sound discretion), aff'd, 540 U.S. 614 (2004). Attempts to introduce new evidence after the magistrate judge has acted are disfavored. E.g., Virgin Enters. Ltd. v. Virgin Cuts, Inc., 149 F. Supp. 2d 220, 223 (E.D. Va. 2000); Callas v. Trane CAC, Inc., 776 F. Supp. 1117 (W.D. Va. 1990), aff'd, 940 F.2d 651 (4th Cir. 1991).

/s/ Thomas D. Schroeder
United States District Judge

June 22, 2016